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**RECEIVED**  
JUL 21 2008  
HAROLD BAER  
U.S. DISTRICT JUDGE  
S.D.N.Y.

July 16, 2008

The Honorable Harold Baer, Jr.  
United States District Court  
500 Pearl Street  
New York, New York 10007

Re: Ruiz v. City of New York and Others  
08 CV 2054 (HB)(RLE)

Your Honor:

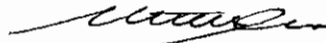
I represent plaintiff in this §1983 alleging police misconduct.

I write with defense counsel's consent requesting that Your Honor permit plaintiff to July 25, 2008 to file the First Amended Complaint.

Your Honor permitted plaintiff to May 23, 2008 in which to file and serve an amended pleading. I timely e-mailed the document to the Clerk and to defendant City of New York without first physically filing it. I also sent a formerly-John Doe defendant a request for waiver of service of the summons which was timely returned fully-executed. When I went to file the amended pleading and the waiver form, the Clerk informed me that the pleading had to be first physically filed before e-mailing and that I needed to obtain Your Honor's permission to do so..

Plaintiff, with defense counsel's consent, therefore, asks that Your Honor permit plaintiff to July 28, 2008 in which to file the First Amended Complaint.


Respectfully submitted,



Matthew Flamm

cc: David Pollack  
Assistant Corporation Counsel  
Attorney for defendant City of New York

SO ORDERED:

  
Harold Baer, Jr., U.S.D.J.

Date: July 22, 2008